

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TAKO LLC,

Plaintiff

V.

PARNELL COLVIN,

Defendant

Case No.: 2:22-cv-01837-APG-NJK

Order Remanding Case for Lack of Subject Matter Jurisdiction

Defendant Parnell Colvin removed this action from state court based on federal question
action. ECF No. 1. Under 28 U.S.C. § 1331, federal district courts have jurisdiction over
civil actions arising under the Constitution, laws, or treaties of the United States.” Colvin
argued that federal question jurisdiction exists because plaintiff Tako LLC violated his federal
constitutional rights. However, Colvin’s federal defenses or counterclaims cannot create federal
question jurisdiction for removal. *See* ECF No. 5 at 1 (citing cases). I therefore ordered Colvin
to show cause why this action should not be remanded to state court for lack of subject matter
jurisdiction. *Id.* I advised Colvin that failure to respond by November 16, 2022 would result in
dismissal. *Id.* Colvin did not respond.

I THEREFORE ORDER that the case is remanded to the state court from which it was
ed for all further proceedings. The clerk of court is instructed to close this case.

DATED this 21st day of November, 2022.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE